

# EXHIBIT A



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19SF-CC00012 - DAVID MADRY V. GEORGE KOCH SONS, LLC, ET AL. (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Ascending

## 02/05/2019 ☐ Summons Personally Served

Document ID - 19-SMOS-3; Served To - MUELLER, TYSON; Server - ; Served Date - 28-JAN-19; Served Time - 12:51:00; Service Type - Sheriff Department; Reason Description - Served

### ☐ Notice of Service

Filed By: JEREMY ANDREW GOGEL

On Behalf Of: DAVID MADRY

## 02/01/2019 ☐ Summons Personally Served

Document ID - 19-SMOS-2; Served To - GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN; Server - ; Served Date - 24-JAN-19; Served Time - 09:50:00; Service Type - Special Process Server; Reason Description - Served

### ☐ Notice of Service

Filed By: JEREMY ANDREW GOGEL

On Behalf Of: DAVID MADRY

## 01/24/2019 ☐ Summons Personally Served

Document ID - 19-SMCC-40; Served To - LORENZ, BRANDON; Server - ; Served Date - 23-JAN-19; Served Time - 13:35:00; Service Type - Sheriff Department; Reason Description - Served

## 01/14/2019 ☐ Summons Issued-Circuit

Document ID: 19-SMOS-3, for MUELLER, TYSON.

### ☐ Summons Issued-Circuit

Document ID: 19-SMCC-40, for LORENZ, BRANDON.

### ☐ Judge Assigned

### ☐ Summons Issued-Circuit

Document ID: 19-SMOS-2, for GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN.

## 01/11/2019 ☐ Filing Info Sheet eFiling

Filed By: JEREMY ANDREW GOGEL

### ☐ Pet Filed in Circuit Ct

On Behalf Of: DAVID MADRY

**AMOUNT IN CONTROVERSY  
EXCEEDS \$25,000.00**

# PETITION

COMES NOW Plaintiff, David E. Madry, by and through his undersigned counsel,  
and for his Petition against Defendants George Koch Sons, LLC d/b/a Price Walgren,  
Brandon Lorenz, and Tyson Mueller, states as follows:

1. Plaintiff David E. Madry ("David") is a citizen and resident of St. Francois County, Missouri.

2. Defendant George Koch Sons, LLC d/b/a Price Walgren ("Price") is a company with its principal place of business in the State of Michigan.

3. Defendant Brandon Lorenz ("Lorenz") is a citizen and resident of the State of Missouri.

4. Defendant Tyson Mueller ("Mueller") is a citizen and resident of the State of North Carolina.

5. Venue in this Court is proper under RSMo. 508.010.

6. On or about August 9, 2015, David was performing maintenance on an overhead crane at a plant for his employer, SRG Global, in Farmington, Missouri.

7. The crane that David was performing maintenance on was manufactured and installed by Price.

8. The plant manager at the time of this incident was Mueller, and the maintenance supervisor at the time of the incident was Lorenz.

9. After the crane was originally installed by Price, the plant policy was that when maintenance was performed on the crane, the power to the crane had to be terminated at the pain disconnect panel in the rear of the plant.

10. At some point after the crane was installed, but before the incident that gave rise to this action occurred, the policy was changed by Mueller and Lorenz that the power to the crane was to be terminated at a switch located at the crane.

11. The purpose of the policy change by Mueller and Lorenz was to save time from having employees walk to the rear of the building and back.

12. On August 9, 2015, David attempted to turn the power off to the crane per the amended policy instituted by Mueller and Lorenz, but unbeknownst to him, there was still power coming to the crane due to an improperly installed jumper by Price.

13. Because of the power still coming to the crane, the crane started moving, knocking David off of a ladder, causing injuries to his leg and back.

**COUNT I - GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN**

14. David incorporates the foregoing paragraphs as if fully set forth herein.

15. The foregoing incident and the injuries to David were directly caused or contributed to be caused by Price's negligence in the manufacture or installation of the crane by improperly installing a jumper that caused power to continue to run to the crane despite it attempting to be switched off at the crane.

16. Price, in its manufacture and installation of the crane owed a duty to its users, such as David, to ensure that when the power was attempted to be switched off at the crane, that the power, in fact, would cease running to the crane.

17. Price breached its duty to David by failing to ensure that power would cease running to the crane when switched off at the crane itself.

18. The incident involving David was foreseeable given David's reasonable expectation that the power to the crane had ceased.

WHEREFORE Plaintiff prays for judgment against Defendant Price in a sum exceeding Twenty-Five Thousand Dollars (\$25,000.00) that is fair and reasonable to compensate Plaintiff for injuries along with court cost incurred in this action, all interest allowed under Missouri law, and for such other relief this Court deems just and proper under the circumstances.

**COUNT II – BRANDON LORENZ**

19. David incorporates the foregoing paragraphs as if fully set forth herein.

20. The foregoing incident and the injuries to David were directly caused or contributed to be caused by Lorenz's negligence in instituting a plant policy of requiring employees to only turn the power off to the crane at the crane itself rather than at the main panel.

21. Lorenz instituted this policy purposefully, and in so doing, increased the risk of injury to the crane's users, such as David.

WHEREFORE Plaintiff prays for judgment against Defendant Lorenz in a sum exceeding Twenty-Five Thousand Dollars (\$25,000.00) that is fair and reasonable to compensate Plaintiff for injuries along with court cost incurred in this action, all interest allowed under Missouri law, and for such other relief this Court deems just and proper under the circumstances.

**COUNT III – TYSON MUELLER**

22. David incorporates the foregoing paragraphs as if fully set forth herein.

23. The foregoing incident and the injuries to David were directly caused or contributed to be caused by Mueller's negligence in instituting a plant policy of requiring employees to only turn the power off to the crane at the crane itself rather than at the main panel.

24. Mueller instituted this policy purposefully, and in so doing, increased the risk of injury to the crane's users, such as David.

WHEREFORE Plaintiff prays for judgment against Defendant Mueller in a sum exceeding Twenty-Five Thousand Dollars (\$25,000.00) that is fair and reasonable to compensate Plaintiff for injuries along with court cost incurred in this action, all interest allowed under Missouri law, and for such other relief this Court deems just and proper under the circumstances.

Respectfully submitted,

THE GOGEL LAW FIRM

/s/ Jeremy A. Gogel

Jeremy A. Gogel, #61866  
4542 West Pine Boulevard  
St. Louis, MO 63108  
Phone: (314) 775-3864  
Fax: (314) 531-1069  
[jeremy@gogellawfirm.com](mailto:jeremy@gogellawfirm.com)

**Attorney for Plaintiff**

IN THE TWENTY-FOURTH JUDICIAL CIRCUIT OF MISSOURI

ORDER ASSIGNING JUDGE

IN THE MATTER OF:

DAVID MADRY

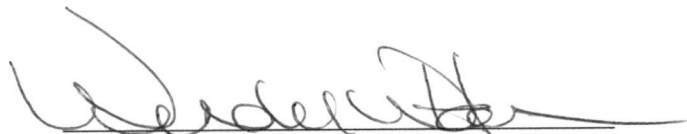
VS

GEORGE KOCH SONS, LLC, ET AL

CASE NO. 19SF-CC00012

NOW ON THIS 14<sup>th</sup> day of January, 20 19, the undersigned, as Presiding Judge of the Twenty-fourth Judicial Circuit, pursuant to the powers granted by statute and local court rules, does assign the above-styled cause to the Honorable Wendy Wexler Horn.

IT IS FURTHER ORDERED that the judge assigned hereby shall have all powers and responsibilities for this cause as assigned by operation of law and the same shall continue until final disposition of the above-styled matter. The clerk is ordered to notify said Judge and counsel of this appointment.

A handwritten signature in black ink, appearing to read 'Wendy Wexler Horn', is written over a horizontal line.

WENDY WEXLER HORN  
PRESIDING JUDGE  
24<sup>TH</sup> JUDICIAL CIRCUIT






## IN THE 24TH JUDICIAL CIRCUIT, ST. FRANCOIS COUNTY, MISSOURI

Judge or Division: WENDY LYNN WEXLER HORN	Case Number: 19SF-CC00012	(Date File Stamp)
Plaintiff/Petitioner: DAVID MADRY	Plaintiff's/Petitioner's Attorney/Address JEREMY ANDREW GOGEL 4542 W. Pine Blvd. ST LOUIS, MO 63108	
Defendant/Respondent: GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN	Court Address: 1 N WASHINGTON FARMINGTON, MO 63640	
Nature of Suit: CC Pers Injury-Other		

## Summons in Civil Case

The State of Missouri to: <b>BRANDON LORENZ</b> Alias:	
2055 PROGRESS DRIVE FARMINGTON, MO 63640	
<b>COURT SEAL OF</b>  <b>ST. FRANCOIS COUNTY</b>	<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p>01/14/2018 /s/VICKI WEIBLE, by Terri Carrow</p> <p>Date Clerk</p>
Further Information:	

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ ( _____ miles @ \$. _____ per mile)
<b>Total</b>	\$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 24TH JUDICIAL CIRCUIT, ST. FRANCOIS COUNTY, MISSOURI

Judge or Division:	Case Number: 19SF-CC00012	(Date File Stamp)
Plaintiff/Petitioner: DAVID MADRY	Plaintiff's/Petitioner's Attorney/Address: JEREMY ANDREW GOGEL 4542 W. Pine Blvd. ST LOUIS, MO 63108	
Defendant/Respondent: GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN	Court Address: 1 N WASHINGTON FARMINGTON, MO 63640	
Nature of Suit: CC Pers Injury-Other		

**Summons for Personal Service Outside the State of Missouri**  
(Except Attachment Action)

The State of Missouri to: **GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN**  
Alias:  
**10 SOUTH ELEVENTH AVE.**  
**EVANSVILLE, IN 47712**

COURT SEAL OF



ST. FRANCOIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

01/14/2018

/s/VICKI WEIBLE, by Terri Carrow

Date

Clerk

Further Information:

## Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
- I have served the above summons by: (check one)
  - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
  - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
  - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
  - ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

## Service Fees

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

See the following page for directions to officer making return on service of summons.

### **Directions to Officer Making Return on Service of Summons**

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.



## IN THE 24TH JUDICIAL CIRCUIT, ST. FRANCOIS COUNTY, MISSOURI

Judge or Division: WENDY LYNN WEXLER HORN	Case Number: 19SF-CC00012
Plaintiff/Petitioner: DAVID MADRY	Plaintiff's/Petitioner's Attorney/Address: JEREMY ANDREW GOGEL 4542 W. Pine Blvd. ST LOUIS, MO 63108
vs.	
Defendant/Respondent: GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN	Court Address: 1 N WASHINGTON FARMINGTON, MO 63640
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

**Summons for Personal Service Outside the State of Missouri  
(Except Attachment Action)**

The State of Missouri to: **TYSON MUELLER**

Alias:

1209 TARHEEL ROAD  
CHARLOTTE, NC 28208

COURT SEAL OF



ST. FRANCOIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

01/14/2019

/s/VICKI WEIBLE, by Terri Carrow

Date

Clerk

Further Information:

**Officer's or Server's Affidavit of Service**

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state).
- I have served the above summons by: (check one)
  - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
  - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
  - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
  - ☐ other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ County, \_\_\_\_\_ (state), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

**Service Fees**

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

See the following page for directions to officer making return on service of summons.

### **Directions to Officer Making Return on Service of Summons**

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.




## IN THE 24TH JUDICIAL CIRCUIT, ST. FRANCOIS COUNTY, MISSOURI

Judge or Division: WENDY LYNN WEXLER HORN	Case Number: 19SF-CC00012	<b>FILED</b>  <b>JAN 24 2019</b>  <b>VICKI J. WEIBLE, CIRCUIT CLERK</b> <b>ST. FRANCOIS COUNTY, MO</b>
Plaintiff/Petitioner: DAVID MADRY	Plaintiff's/Petitioner's Attorney/Address JEREMY ANDREW GOGEL 4542 W. Pine Blvd. ST LOUIS, MO 63108	
Defendant/Respondent: GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN	Court Address: 1 N WASHINGTON FARMINGTON, MO 63640	
Nature of Suit: CC Pers Injury-Other		

(Date File Stamp)

## Summons in Civil Case

<b>The State of Missouri to: BRANDON LORENZ</b> Alias:	
2055 PROGRESS DRIVE FARMINGTON, MO 63640  <b>COURT SEAL OF</b>  <b>ST. FRANCOIS COUNTY</b>	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition. 01/14/2018 /s/VICKI WEIBLE, by Terri Carrow Date Clerk
Further Information:	

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☒ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with DANIELLE THOMASON, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other: \_\_\_\_\_

Served at 2055 PROGRESS DR FARMINGTON MO 63640 (address)  
 in \_\_\_\_\_ (County/City of St. Louis), MO, on 1-23-19 (date) at 1:35 PM (time).

G. WINDSOR #903

Printed Name of Sheriff or Server

G Windsor #903

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

## Sheriff's Fees, if applicable

Summons \$ 20.00  
 Non Est \$ \_\_\_\_\_  
 Sheriff's Deputy Salary  
 Supplemental Surcharge \$ 10.00  
 Mileage \$ 31.16  
 Total \$ 31.16

miles @ \$ \_\_\_\_\_ per mile)

paid check 2600

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

153289





## IN THE 24TH JUDICIAL CIRCUIT, ST. FRANCOIS COUNTY, MISSOURI

Judge or Division:	Case Number: 19SF-CC00012	
Plaintiff/Petitioner: DAVID MADRY	Plaintiff's/Petitioner's Attorney/Address: JEREMY ANDREW GOGEL 4542 W. Pine Blvd. ST LOUIS, MO 63108	
Defendant/Respondent: GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN	Court Address: 1 N WASHINGTON FARMINGTON, MO 63640	
Nature of Suit: CC Pers Injury-Other		

(Date File Stamp)

**Summons for Personal Service Outside the State of Missouri  
(Except Attachment Action)**

The State of Missouri to: **GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN**  
 Alias:  
 10 SOUTH ELEVENTH AVE.  
 EVANSVILLE, IN 47712

COURT SEAL OF



ST. FRANCOIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

01/14/2018

/s/VICKI WEIBLE, by Terri Carrow

Date

Clerk

Further Information:

**Officer's or Server's Affidavit of Service**

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is Civil Process Server of Vanderburgh County, Indiana (state).
- I have served the above summons by: (check one)
  - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
  - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
  - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
  - ☐ other: \_\_\_\_\_

Served at 10 S 11th Ave (address)in Vanderburgh County, In (state), on Jan 24 (date) at 9:50 AM (time).Bob Miller

Printed Name of Sheriff or Server

Robert J Miller

Signature of Sheriff or Server

Subscribed and sworn to before me this 24 (day) Jan (month) 2019 (year).I am: (check one) ☐ the clerk of the court of which affiant is an officer.☐ the judge of the court of which affiant is an officer.☒ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)JAMIE AMES  
NOTARY PUBLIC

SEAL

STATE OF INDIANA

Jamie Ames Notary

Signature and Title

## Service Fees

Summons	\$	My Commission Expires: May 17, 2026
Non Est	\$	Commission Number: NP0712707
Mileage	\$	(_____ miles @ \$_____ per mile)
Total	\$	

See the following page for directions to officer making return on service of summons.

**Directions to Officer Making Return on Service of Summons**

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.

**SIGNATURE REQUIRED ON THIS SLIP**

PERSON OR CORPORATION: George Koch Sons

ADDRESS: 10 S 11<sup>th</sup> Ave

LEGIBLE SIGNATURE: [Signature]

PRINTED NAME: Jack Spainhour

DATE: 1/24/19 TIME: 9:50 AM

PERSON SERVING: Bob Miller XRAY#: \_\_\_\_\_



**State of North Carolina/Mecklenburg County  
OUT OF STATE AFFIDAVIT OF SERVICE**

**PERSONALLY APPEARED** before me, the undersigned authority, AS 114 x 3115  
Deputy Sheriff of Mecklenburg County, so being duly sworn, deposes and says that in the County of  
Mecklenburg, State of North Carolina, serving the defendant by the laws governing service of Civil  
Process within the State of North Carolina, he/she delivered to the within named Defendant/ Respondent  
at the following time(s) and place(s) to wit:

**Defendant/ Respondent:** Tyson Mueller **Received Date/Time:** 1-24-19

**Division:** \_\_\_\_\_ **Case Number:** 193F-CC00012  
(If Applicable)

**Type(s) of Process:** ☒ Summons ☐ Complaint ☐ Lis Pendens ☐ Notice ☐ Child Support ☐ A&P  
(Check All That Apply) ☐ Other: \_\_\_\_\_

**On:** 1-28-19 **at:** 1251 **am/pm** pm  
(Date) (Time)

☒ **Individual Service:** The Defendant/Respondent listed above was served personally at  
1209 TARDIFF Road Charlotte NC 28208 on  
the date and time listed above. (Location, Address)

☐ **Substitute Service:** Service was completed by leaving a true copy of the process listed above  
with \_\_\_\_\_ at \_\_\_\_\_  
(Name, Relationship) (Location)

on the date and time listed above. (Address)

☐ **Corporate, LLC, Partnership, Association or Government Service:** By leaving a true copy  
of the process listed above with \_\_\_\_\_  
(Name, Title)  
at \_\_\_\_\_ of the said entity  
on the date and time listed above. (Location, Address)

☐ **Non-Service:** Service of the process listed above was not completed at \_\_\_\_\_  
(Location)  
\_\_\_\_\_ on the Defendant/Respondent listed above for  
(Address)  
the following reason: \_\_\_\_\_ on  
the date and time listed above.

**Garry L. McFadden,  
Sheriff Mecklenburg County NC**

By: AS 114 x 3115  
**Deputy Sheriff  
Mecklenburg County Sheriff's Office**

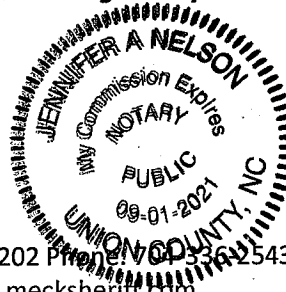
1-28-19 @ 1251  
**Date/Time**

**Sworn to and subscribed before me,**

This 29th day of Jan 2019

Jennifer A Nelson  
**Notary Public**

**My commission expires:** 09/01/2021



700 East Fourth Street Charlotte, NC 28202 Phone: 704-334-2543 Fax: 704-432-3763


<http://www.mecksheriff.com>



## IN THE 24TH JUDICIAL CIRCUIT, ST. FRANCOIS COUNTY, MISSOURI

Judge or Division: WENDY LYNN WEXLER HORN	Case Number: 19SF-CC00012
Plaintiff/Petitioner: DAVID MADRY	Plaintiff's/Petitioner's Attorney/Address: JEREMY ANDREW GOGEL 4542 W. Pine Blvd. ST LOUIS, MO 63108
Defendant/Respondent: GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN	Court Address: 1 N WASHINGTON FARMINGTON, MO 63640
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

**Summons for Personal Service Outside the State of Missouri**  
(Except Attachment Action)

<b>The State of Missouri to:</b> TYSON MUELLER <b>Alias:</b> 1209 TARHEEL ROAD CHARLOTTE, NC 28208   <b>COURT SEAL OF</b> <b>ST. FRANCOIS COUNTY</b>	You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action. 01/14/2019 Date Further Information:	/s/VICKI WEIBLE, by Terri Carrow Clerk
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**Officer's or Server's Affidavit of Service**

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is Deputy Sheriff of Mecklenburg County, North Carolina (state).
- I have served the above summons by: (check one)

- ☒ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at 1209 Tarheel Road (address)  
 in Mecklenburg County, North Carolina (state), on 1-28-19 (date) at 1251 HRS (time).

ADD: 4 x 3115  
 Printed Name of Sheriff or Server

[Signature]  
 Signature of Sheriff or Server

Subscribed and sworn to before me this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

**Service Fees**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

See the following page for directions to officer making return on service of summons.

**Directions to Officer Making Return on Service of Summons**

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.

**State of North Carolina/Mecklenburg County  
OUT OF STATE AFFIDAVIT OF SERVICE**

**PERSONALLY APPEARED** before me, the undersigned authority, AS 114 x 3115  
Deputy Sheriff of Mecklenburg County, so being duly sworn, deposes and says that in the County of  
Mecklenburg, State of North Carolina, serving the defendant by the laws governing service of Civil  
Process within the State of North Carolina, he/she delivered to the within named Defendant/ Respondent  
at the following time(s) and place(s) to wit:

**Defendant/ Respondent:** Tyson Mueller **Received Date/Time:** 1-24-19

**Division:** \_\_\_\_\_ **Case Number:** 193F-CC00012  
(If Applicable)

**Type(s) of Process:** ☒ Summons ☐ Complaint ☐ Lis Pendens ☐ Notice ☐ Child Support ☐ A&P  
(Check All That Apply) ☐ Other: \_\_\_\_\_

**On:** 1-28-19 **at:** 1251 **am/pm** pm  
(Date) (Time)

☒ **Individual Service:** The Defendant/Respondent listed above was served personally at  
1209 TARDIFF Road Charlotte NC 28208 on  
the date and time listed above. (Location, Address)

☐ **Substitute Service:** Service was completed by leaving a true copy of the process listed above  
with \_\_\_\_\_ at \_\_\_\_\_  
(Name, Relationship) (Location)

on the date and time listed above. (Address)

☐ **Corporate, LLC, Partnership, Association or Government Service:** By leaving a true copy  
of the process listed above with \_\_\_\_\_  
(Name, Title) \_\_\_\_\_ of the said entity  
at \_\_\_\_\_  
(Location, Address) on the date and time listed above.

☐ **Non-Service:** Service of the process listed above was not completed at \_\_\_\_\_  
(Location) \_\_\_\_\_ on the Defendant/Respondent listed above for  
(Address) the following reason: \_\_\_\_\_  
the date and time listed above.

**Garry L. McFadden,  
Sheriff Mecklenburg County NC**

By: AS 114 x 3115  
**Deputy Sheriff  
Mecklenburg County Sheriff's Office**

1-28-19 @ 1251  
**Date/Time**

**Sworn to and subscribed before me,**

This 29th day of Jan 2019

Jennifer A Nelson  
**Notary Public**

**My commission expires:** 09/01/2021



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## IN THE 24TH JUDICIAL CIRCUIT, ST. FRANCOIS COUNTY, MISSOURI

Judge or Division: WENDY LYNN WEXLER HORN	Case Number: 19SF-CC00012
Plaintiff/Petitioner: DAVID MADRY	Plaintiff's/Petitioner's Attorney/Address: JEREMY ANDREW GOGEL 4542 W. Pine Blvd. ST LOUIS, MO 63108
Defendant/Respondent: GEORGE KOCH SONS, LLC D/B/A PRICE WALGREN	Court Address: 1 N WASHINGTON FARMINGTON, MO 63640
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

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(Except Attachment Action)

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- My official title is Deputy Sheriff of Mecklenburg County, North Carolina (state).
- I have served the above summons by: (check one)

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- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at 1209 Tarheel Road (address)  
 in Mecklenburg County, North Carolina (state), on 1-28-19 (date) at 1251 HRS (time).

ADLH x3115  
 Printed Name of Sheriff or Server

[Signature]  
 Signature of Sheriff or Server

Subscribed and sworn to before me this \_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

**Service Fees**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

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